

# **Schedule 47**

## **DEPARTMENT OF INSURANCE**

**December 29, 2009**

Nebraska Records Management Division  
440 South 8<sup>th</sup> Street, Suite 210  
Lincoln, NE 68508  
(402) 471-2559

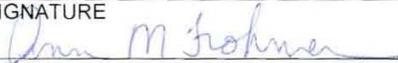
**REQUEST FOR APPROVAL  
OF RECORDS RETENTION  
AND DISPOSITION SCHEDULE**

SCHEDULE	<b>47</b>
AGENCY, BOARD OR COMMISSION	<b>DEPARTMENT OF INSURANCE</b>
DIVISION, BUREAU OR OTHER UNIT	
Supersedes Edition of May 16, 2005	

**TO: STATE RECORDS ADMINISTRATOR  
STATE OF NEBRASKA**

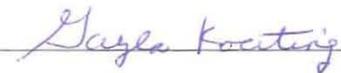
**PART I – AGENCY STATEMENT:**

In accordance with Section 84-1212.01, R.R.S. 1943, approval of the attached records retention and disposition schedule by the State Records Administrator is hereby requested. Retention periods and dispositions have been recommended by this agency after a careful evaluation of all factors listed in Section 84-1212.01, R.R.S. 1943.

SIGNATURE 	
TITLE Director	DATE 12-15-09

**PART II – APPROVAL OF STATE ARCHIVES:**

The attached schedule has been analyzed, all archival and historical material has been properly identified, no disposition except by transfer to the State Archives has been recommended for such material, and this schedule is approved as submitted.

SIGNATURE 	DATE 12/18/2009
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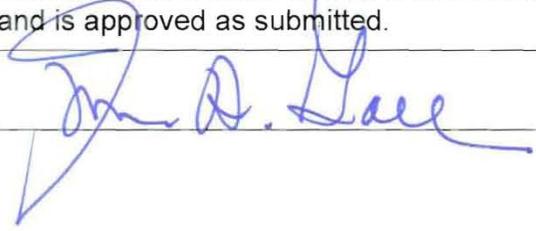
**PART III – APPROVAL OF AUDITOR OF PUBLIC ACCOUNTS:**

The attached schedule has been reviewed, all audit material has been properly identified, and this schedule is approved as submitted.

SIGNATURE 	DATE 12/18/09
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**PART IV – APPROVAL OF STATE RECORDS ADMINISTRATOR:**

The attached schedule has been reviewed in accordance with Section 84-1212.01, R.R.S. 1943, and is approved as submitted.

SIGNATURE 	DATE 12/29/09
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## **INSTRUCTIONS FOR USING THIS SCHEDULE**

Records retention and disposition schedules are designed to serve as your records management guideline for storing and disposing of agency records, **regardless of the media on which they reside**, including paper, microfilm, diskettes, optical disks, CDs, DVDs, servers, computer hard drives, etc. This schedule was written specifically for records unique to your office and the State Agencies General Records Schedule #124 contains those records common to most state government agencies. These retention schedules, which are approved by the State Records Administrator, provide your only ongoing authority to dispose of records. Listed below are some basic procedures to follow when applying your schedule.

### **DISPOSING OF RECORDS**

1. Check your schedules to see what the retention period is. Note: Your agency's unique schedule will take precedence over State Agencies General Records Schedule #124 for any items which have differences in retention requirements.
2. Dispose of records that have met their retention periods.
3. For records requiring a review of, or transfer to the **NE State Historical Society (State Archives)**, your agency is required to contact the State Archives to negotiate the transfer. Additionally, **once the records are accessioned into their collection, they become the property of the State Archives**. The State Archives may remove selected records in accordance with standard archival practices to ensure efficient access, organization and enduring historical value (Nebr. Rev. Stat. §82-107). Please contact their office by calling (402) 471-4783.
4. Complete a Records Disposition Report for the records you dispose. The Records Disposition Report form is the last page of this schedule. Remove the form, photocopy it, complete the form, make a photocopy for your records, and send the completed form to the Records Management Division at the address below. If you wish, you may receive this form electronically by contacting the Records Management Division. This report establishes that the destruction was performed in your normal course of business.

**Please remember to retain the blank form for future use.**

### **NON-SCHEDULED RECORDS**

Contact a Records Management Specialist in Records Management to see whether the records will fit under an item already on the schedule. If they do not, they must be retained until they are added to the next revision of your schedule.

### **SCHEDULE UPDATE**

It is the responsibility of each agency to periodically update their schedule. A Records Management Specialist in Records Management can assist you with the schedule update, which may involve adding new records series and making revisions to existing items. Keeping your schedule current will ensure you have the ongoing authority to discard records when their useful life has ended.

### **QUESTIONS**

If you have any questions about these procedures, please contact your agency Records Officer or your Records Management Specialist in Records Management. We will help you with any questions the schedule may present, including: transferring records to the State Records Center or microfilming records, scanning records, etc.

**Records Management Division  
440 South 8th Street, Suite 210  
Lincoln, NE 68508-2294  
402-471-2559**

# INDEX

## SCHEDULE 47 DEPARTMENT OF INSURANCE

	Item	Page
<b><u>ADMINISTRATIVE SERVICES DIVISION</u></b> .....	<b>47-1</b>	<b>7</b>
BACK-UP COPIES OF ELECTRONIC DATA.....	47-1-1	7
NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS' PROCEEDING BOOKS .....	47-1-2	7
NEBRASKA INSURANCE INFORMATION MANAGEMENT SYSTEM (NIIMS) .....	47-1-3	7
RECEIPT BOOK .....	47-1-4	7
STATEMENT FOR AGENTS APPOINTMENTS & CANCELLATIONS .....	47-1-5	7
<b><u>CONSUMER AFFAIRS DIVISION</u></b> .....	<b>47-2</b>	<b>8</b>
COMPLAINT FILES .....	47-2-1	8
HEALTH CARE PROMPT PAYMENTS .....	47-2-2	8
INQUIRY FILE .....	47-2-3	8
REFERENCE FILES .....	47-2-4	8
<b><u>EXAMINATION DIVISION</u></b> .....	<b>47-3</b>	<b>8</b>
ANNUAL STATEMENTS .....	47-3-1	8
COMPANY HISTORY CARD FILE (OBSOLETE 1995) .....	47-3-2	9
COMPANY LICENSE FILE .....	47-3-3	9
EXAMINATION WORK PAPERS .....	47-3-4	9
FINANCIAL ANALYSIS (DOMESTIC COMPANIES).....	47-3-5	9
INSURANCE COMPANY LIQUIDATION FILES .....	47-3-6	9
INSURANCE COMPANY REHABILITATION/SUPERVISION FILES .....	47-3-7	9
PRE-NEED RECORDS.....	47-3-8	9
PREMIUM TAX FORMS .....	47-3-9	10
REPORT OF EXAMINATION.....	47-3-10	10
RISK BASED CAPITAL REPORTS (DOMESTIC COMPANIES ONLY).....	47-3-11	10
SECURITY DEPOSIT FILE .....	47-3-12	10
SUMMARY OF INSURANCE BUSINESS IN NEBRASKA .....	47-3-13	11
SUPPLEMENTAL COMPENSATION EXHIBIT .....	47-3-14	11
SURPLUS LINES POLICY RECORDS .....	47-3-15	11
<b><u>FRAUD PREVENTION DIVISION</u></b> .....	<b>47-4</b>	<b>12</b>
ANNUAL REPORT.....	47-4-1	12
INSURANCE FRAUD INVESTIGATION CASE FILES.....	47-4-2	12
INSURANCE FRAUD INTELLIGENCE CASE FILES.....	47-4-3	12

<b><u>LEGAL DIVISION</u></b> .....	<b>47-5</b>	<b>12</b>
CAUSE FILES HEARING RECORDING TAPES .....	47-5-1	12
COMPREHENSIVE HEALTH INSURANCE POOL (CHIP) .....	47-5-2	13
HOLDING COMPANIES DOCUMENT FILES .....	47-5-3	13
INSURANCE COMPANY AND AGENT CAUSE FILES .....	47-5-4	13
INSURANCE COMPANY DOCUMENT FILE .....	47-5-5	13
INSURANCE GUARANTY FUND ASSOCIATION FILES .....	47-5-6	14
LITIGATED CASES .....	47-5-7	14
MULTIPLE EMPLOYER WELFARE ARRANGEMENT FILE .....	47-5-8	14
VIATICAL SETTLEMENT PROVIDER RECORDS .....	47-5-9	14
<b><u>LIFE AND HEALTH DIVISION</u></b> .....	<b>47-6</b>	<b>14</b>
ACTUARIAL BOOKS: LIFE AND HEALTH .....	47-6-1	14
ASSUMPTION REINSURANCE .....	47-6-2	15
DISCOUNT HEALTH PLANS .....	47-6-3	15
HEALTH CARE PROMPT PAYMENT COMPLIANCE .....	47-6-4	15
LIFE AND HEALTH APPROVALS .....	47-6-5	15
LIFE AND HEALTH INSURANCE POLICY FORMS .....	47-6-6	15
LIFE ILLUSTRATIONS .....	47-6-7	16
LONG-TERM CARE PARTNERSHIP FORMS.....	47-6-8	16
MEDICARE SUPPLEMENT MATERIAL .....	47-6-9	16
NETWORK ADEQUACY .....	47-6-10	16
<b><u>MARKET CONDUCT DIVISION</u></b> .....	<b>47-7</b>	<b>17</b>
MARKET CONDUCT REPORT OF EXAMINATION .....	47-7-1	17
MARKET CONDUCT WORK PAPERS.....	47-7-2	17
<b><u>MEDICAL PROFESSIONAL LIABILITY DIVISION</u></b> ....	<b>47-8</b>	<b>17</b>
CLOSED CLAIM FILES .....	47-8-1	17
EXCESS LIABILITY FUND GENERAL CORRESPONDENCE .....	47-8-2	17
OPEN CLAIM FILES .....	47-8-3	17
RECORDS FROM EXCESS FUND START UP.....	47-8-4	18
RESIDUAL MALPRACTICE INSURANCE AUTHORITY .....	47-8-5	18
<b><u>MISCELLANEOUS</u></b> .....		<b>23</b>
RECORDS DISPOSITION REPORT (BLANK FORM).....		23
<b><u>PRODUCER LICENSING DIVISION</u></b> .....	<b>47-9</b>	<b>18</b>
AGENT LICENSE FILE .....	47-9-1	18
AGENT LICENSE HISTORY FILE .....	47-9-2	18
APPLICATION FOR INSURANCE AGENCY LICENSE.....	47-9-3	19
APPOINTMENT & REQUEST FOR CANCELLATION FOR RESIDENT AND NONRESIDENT AGENTS .....	47-9-4	19
CLEARANCE LETTERS .....	47-9-5	19
CONTINUING EDUCATION CORRESPONDENCE .....	47-9-6	19
EDUCATION PROGRAMS .....	47-9-7	19

LICENSE APPLICATION FILES & ADDENDUM – RESIDENT AND NONRESIDENT AGENT, BROKER, SURPLUS LINE AGENTS & CONSULTANTS .....	47-9-8	20
NONRESIDENT AGENT CONTROL CARD (OBSOLETE 1995) .....	47-9-9	20
PRELICENSING CERTIFICATES OF COMPLETION .....	47-9-10	20
RECIPROCAL AGREEMENTS (OBSOLETE 2000).....	47-9-11	20
RENEWAL FORMS – RESIDENT AND NONRESIDENT AGENT, BROKER, CONSULTANTS, SURPLUS LINE AGENTS AND AGENTS .....	47-9-12	20
RESIDENT AGENT CERTIFICATION LETTERS .....	47-9-13	20
SELF-REPORTING FORMS .....	47-9-14	21
STATEMENT FOR RESIDENT AND NONRESIDENT AGENTS .....	47-9-15	21
THIRD PARTY ADMINISTRATOR (TPA) .....	47-9-16	21
<b>PROPERTY AND CASUALTY DIVISION .....</b>	<b>47-10</b>	<b>21</b>
ADVISORY ORGANIZATION FILES (ISO, NCCI) .....	47-10-1	21
ADVISORY ORGANIZATIONS MANUALS AND FORMS FILES .....	47-10-2	21
INSURANCE COMPANY RATE AND FORM FILES.....	47-10-3	22

## **SCHEDULE 47 – DEPARTMENT OF INSURANCE**

### **47-1            ADMINISTRATIVE SERVICES DIVISION**

#### **47-1-1            BACK-UP COPIES OF ELECTRONIC DATA**

Agency electronic records or databases are maintained on file servers within the Department of Insurance. All servers maintain RAID 5 configurations. Tapes are stored at an off-site secure facility; tape exchange occurs on a daily basis. Data is backed up according to the schedule below:

**BACK-UP OF ELECTRONIC RECORDS ON FILE SERVERS (DISK TO TAPE):**

**DAILY BACK-UPS (MONDAY THRU THURSDAY):** Overwrite after 1 week.

**END-OF-WEEK BACK-UPS (FRIDAY'S, EXCEPT LAST IN MONTH):** Overwrite after 1 month.

**END-OF-MONTH BACK-UPS (LAST FRIDAY OF MONTH):** Overwrite after 3 months.

#### **47-1-2            NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS' PROCEEDINGS BOOKS**

In-depth description of the committee meetings held at each NAIC meeting. Copies are maintained at the discretion of the Agency Head.

**Retain in off-site secure storage permanently.**

#### **47-1-3            NEBRASKA INSURANCE INFORMATION MANAGEMENT SYSTEM (NIIMS)**

NIIMS is a database system that is used to track companies, people, licenses, invoices, financial transactions, consumer complaints, fraud investigations and medical malpractice liability fund.

**Dispose of after superseded or obsolete.**

#### **47-1-4            RECEIPT BOOK**

Record of payment for photocopies, licenses, certifications, etc. Record includes name, date of receipt, amount of receipt, receipt number, and cash or check number.

**Dispose of after 2 years, provided audit has been completed.<sup>1</sup>**

#### **47-1-5            STATEMENT FOR AGENTS APPOINTMENTS & CANCELLATIONS**

Statement of money requested and validation of money received from insurance companies and agents for licensing. Statements must be shredded.

**Dispose of 1 year following the end of the fiscal year to which the records pertain, provided audit has been completed.<sup>1</sup>**

## **47-2            CONSUMER AFFAIRS DIVISION**

### **47-2-1            COMPLAINT FILES**

Contains original written complaint from complainant and supporting documents from the complainant and respondent (company, agent, etc). Also includes all correspondence between Department of Insurance, complainant and defendant and disposition of complaint.

**Transfer to off site security storage 6 months after resolution; dispose of 7 years after the case is opened.**

### **47-2-2            HEALTH CARE PROMPT PAYMENT**

Prompt Payment Problem Report Forms are submitted by health care providers who wish to report delayed claim payments, pursuant to Neb. Rev. Stat. §44-8001- 8010. Information from the reports are monitored and exams are scheduled if a pattern of unfair payment practices is detected. Refer also to Item 47-6-4.

**Transfer to off-site storage facility after 2 years; dispose of after 7 years.**

### **47-2-3            INQUIRY FILE**

Correspondence regarding routine insurance inquiries.

**Transfer to off site security storage after 1 year; dispose of after 2 years.**

### **47-2-4            REFERENCE FILES**

Correspondence from case files for producers and companies used by department staff as reference material for market conduct examinations and referral of cases to the Legal Division.

**Dispose of when no longer of reference value.**

## **47-3            EXAMINATION DIVISION**

### **47-3-1            ANNUAL STATEMENTS**

Statements of financial condition received by the Department of Insurance from all insurance companies doing business in Nebraska. Includes Actuarial Opinions, Summary of Actuarial Opinion, Audited Financial Statements, Accident and Health Experience Exhibits and Supplemental Compensation Exhibit. Starting in 2003 foreign companies submit the financial statements electronically to the National Association of Insurance Commissioners (NAIC). Neb. Rev. Stat. § 44-322. Scanning documents to CD began in 1994.

**FOREIGN STATEMENTS: Transfer to off site security storage after 1 year; dispose of 4 years after statement date. Statements are filed electronically to the National Association of Insurance Commissioners (NAIC).**

**DOMESTIC STATEMENTS: Maintain in office for 2 years. Scan to CD and microfilm for archival purposes. Transfer to off site security storage; dispose of 6 years after statement date.**

**SECURITY MICROFILM: Transfer to the State Records Center, retain permanently.**

**MICROFILM WORK COPY: Retain permanently.**

**CD SECURITY COPY: Transfer to the State Records Center; dispose of after 50 years.**

**CD WORK COPY: Dispose of after 50 years.**

**47-3-2 COMPANY HISTORY CARD FILE (OBSOLETE 1995)**

3 x 5 card file tracing name and history of insurance companies. Cards are no longer made. The history information is now part of 47-1-3 NIIMS.

**Transfer to the State Archives.**

**47-3-3 COMPANY LICENSE FILE**

Record of each company (both domestic and foreign) and includes the following information: company name, incorporation date, Nebraska Identification number, types of insurance they are licensed to sell, date of licensing, the fees paid and the NAIC number (National Association of Insurance Commissioners). Part of 47-1-3 NIIMS.

**Dispose of after superseded or obsolete.**

**47-3-4 EXAMINATION WORK PAPERS**

Work papers of insurance examiners from which REPORTS OF EXAMINATION, Item 47-3-10, are taken. All work papers are confidential documents.

**Transfer to off site security storage after completion of examination; dispose of 10 years after examination date.**

**47-3-5 FINANCIAL ANALYSIS (DOMESTIC COMPANIES ONLY)**

Confidential work product/documentation relative to the financial analysis of domestic insurance companies.

**Transfer to off site security storage after 2 years; dispose of after 10 years.**

**47-3-6 INSURANCE COMPANY LIQUIDATION FILES**

The Department of Insurance is charged by the Insurers Supervision, Rehabilitation and Liquidation Act, Neb. Rev. Stat. § 44-4801 - 44-4862, with the responsibility of effecting any liquidation of Nebraska insurance companies. Records include minutes of stockholders and boards of directors meetings, articles of incorporation, journals, ledgers, stock records, lease records, policy files, claim files, adjudications and other records related to the liquidation.

**Dispose of 5 years after completion of liquidation, subject to review by the State Archives for possible accession.**

**47-3-7 INSURANCE COMPANY REHABILITATION/SUPERVISION FILES**

These files include journals, ledgers, notes on meetings, correspondence, contracts, agreements, reports, approvals of actions and orders. Contains information on only domestic companies.

**Transfer to off site security storage 5 years after initial date of rehabilitation; dispose of 10 years after the end of the rehabilitation period.**

**47-3-8 PRE-NEED RECORDS**

May include burial files, applications for license, license renewals, and financial report of pre-need sellers. Files pertain to funeral homes, cemeteries, and monument companies that provide pre-need services. File contains correspondence, annual financial trust reports, and audit work papers. Part of 47-1-3 NIIMS.

**ORIGINAL RECORD: Dispose of after 10 years.**

**ELECTRONIC RECORD: Dispose of after superseded or obsolete.**

**47-3-9 PREMIUM TAX FORMS**

Includes the annual tax return, quarterly tax return and the validation of money received from insurance companies doing business in Nebraska. Forms are filed numerically according to the NE ID Number. Prior to 2003 the forms for foreign companies were filed with the annual statement. After 2003 the forms are filed numerically according to the Nebraska Company Identification.

**FOREIGN COMPANIES:** Transfer to off site security storage after 1 year; dispose of after 6 years.

**DOMESTIC COMPANIES:** File with the company's Annual Statement, see item 47-3-1.

**DOMESTIC STATEMENTS:** Maintain in office for 2 years. Scan to CD and microfilm for archival purposes. Transfer to off site security storage; dispose of 6 years after statement date.

**SECURITY MICROFILM:** Transfer to the State Records Center; retain permanently.

**MICROFILM WORK COPY:** Retain permanently.

**CD SECURITY COPY:** Transfer to the State Records Center; dispose of after 50 years.

**CD WORK COPY:** Dispose of after 50 years.

**47-3-10 REPORT OF EXAMINATION**

Reports of audit or financial condition and affairs for insurance companies. Examination completed pursuant to the Insurers Examination Act, Neb. Rev. Stat. § 44-5901 - 44-5910 and § 44-112 R. R. S. 1943. Scanning documents to CD began in 1990.

**DOMESTIC AND FOREIGN (with NEBRASKA PARTICIPATION):**

**ORIGINAL RECORD:** Scan to CD after superseded and microfilm for archival purposes. Destroy originals after microfilming is completed.

**SECURITY MICROFILM:** Transfer to the State Archives.

**MICROFILM WORK COPY:** Retain permanently.

**CD SECURITY COPY:** Transfer to the State Records Center; dispose of after 50 years.

**CD WORK COPY:** Dispose of after 50 years.

**OTHER FOREIGN:** Dispose of when superseded or obsolete.

**47-3-11 RISK BASED CAPITAL REPORTS (DOMESTIC COMPANIES ONLY)**

Confidential reports filed by domestic companies only.

**Transfer to off site security storage after 1 year; dispose of after 6 years.**

**47-3-12 SECURITY DEPOSIT FILE**

Contains correspondence and safekeeping receipts for funds deposited by insurance companies with the Department of Insurance as security.

Neb. Rev. Stat. § 44-319.01 - 44.319.13.

**SECURITY CARDS:** Dispose of after superseded or obsolete.

**ELECTRONIC RECORD:** Dispose of after superseded or obsolete.

**ALL OTHER RECORDS:** Dispose of 1 year after superseded or obsolete.

**47-3-13 SUMMARY OF INSURANCE BUSINESSES IN NEBRASKA**

Summary of ANNUAL STATEMENTS that list the companies doing business in Nebraska and the volume of business done. Neb. Rev. Stat. § 44-113.

**PRINTED BOOKLET:** Transfer 2 copies to the Nebraska Library Commission; 1 bound copy and 1 unbound copy; transfer 1 bound copy to the State Archives; dispose of copies from previous years at the discretion of the agency head.

**ELECTRONIC RECORD:** Dispose of after superseded or obsolete.

**47-3-14 SUPPLEMENTAL COMPENSATION EXHIBIT**

The exhibit is filed by each foreign and domestic licensed insurance company in Nebraska. The exhibit includes the compensation paid to officers, employees and directors of the insurance company and includes but is not limited to wages, salaries, bonuses, commissions, stock grants and gains from the exercise of stock options. The exhibit includes the CEO and the four most highly paid other executive officers and the next five highly compensated employees, whose total compensation exceeds \$100,000.00. The exhibit is filed numerically according to the Nebraska Company Identification Number.

**FOREIGN COMPANIES:** Transfer to off site security storage after 1 year; dispose of after 4 years.

**DOMESTIC COMPANIES:** Exhibit is filed with the Annual Statement Records, see item 47-3-1.

**DOMESTIC STATEMENTS:** Maintain in office for 2 years. Scan to CD and microfilm for archival purposes. Transfer to off site security storage; dispose of 6 years after statement date.

**SECURITY MICROFILM:** Transfer to the State Records Center; retain permanently.

**MICROFILM WORK COPY:** Retain permanently.

**CD SECURITY COPY:** Transfer to the State Records Center; dispose of after 50 years.

**CD WORK COPY:** Dispose of after 50 years.

**47-3-15 SURPLUS LINES POLICY RECORDS**

According to Surplus Lines Insurance Act, Neb. Rev. Stat. § 44-5501 – 44-5514, specially licensed insurance agents may sell insurance policies from companies not licensed in the State of Nebraska when applicant is unable to purchase insurance from a company licensed in the State of Nebraska. This file includes quarterly and annual reports from the agent showing the insured's name, the type of coverage, the company writing the coverage, the premium rates, etc. The reports are considered work papers and are confidential documents.

**Transfer to off-site security storage 1 year after the end of the year to which they pertain; dispose of after 3 years, provided audit has been completed.** <sup>1</sup>

## **47-4            FRAUD PREVENTION DIVISION**

### **47-4-1            ANNUAL REPORT**

Annual report of the Insurance Fraud Prevention Division to include but not limited to: division creation; highlights of the year; case statistics; State prosecutions; criminal convictions; investigative process and examples; database; search warrants/subpoenas; case status; investigative assistance; insurance fraud categories; personnel; training; education; public relations; summary of cases by fraud type; and summary of cases by county. COPIES DISTRIBUTED TO: Governor; Chair of the Banking, Commerce, and Insurance Committee; Director of Insurance; Executive Director of the Insurance Federation of Nebraska and State Archives.

**Dispose (shred) of after 50 years.**

### **47-4-2            INSURANCE FRAUD INTELLIGENCE CASE FILES**

Information received by the Insurance Fraud Prevention Division which does not violate the Nebraska Insurance Fraud Act. Intelligence information is governed by the Department of Justice, 28 CFR Part 23.

DISCARD: According to 28 CFR Part 23 - Sec. 812 (5) Purge and review process. "(5) The regulation provides that information retained in the system must be reviewed and validated for continuing compliance with system submission criteria within a 5 year retention period. Any information not validated within that period must be purged from the system (28 CFR 23.20(h))." This also includes all computer information.

**Dispose of after 5 years.**

### **47-4-3            INSURANCE FRAUD INVESTIGATION CASE FILES**

Files include: Nebraska Insurance Information Management System (NIIMS) generated Detailed Case Summary Report; Nebraska Driver History Record; NCIC Interstate Identification Index Record; Nebraska Criminal History Index Record; Nebraska Criminal Justice Information System Record; Nebraska Secretary of State Corporation & Business Entity Inquiry; Nebraska Health & Human Services System License Information; National Insurance Crime Bureau Claim History; Suspected Fraudulent Claim Report or original fraud referral; letters; reports; interviews; taped statements; general investigation notes; legal research; meeting/conference notes; memorandums; telephone contact; insurance company claim and special investigation unit files; original envelopes from correspondence received; Investigative Summary Report; court documents; other miscellaneous documents.

**Transfer to locked storage area under the control of the Insurance Fraud Prevention Division (IFPD) after 3 years; shred and dispose of after 10 years.**

## **47-5            LEGAL DIVISION**

### **47-5-1            CAUSE FILES HEARING RECORDING TAPES**

Cassette tapes of the hearings recorded on the disciplinary action imposed upon insurance companies and agents.

**Transfer to off site security storage; dispose of after 10 years.**

**47-5-2 COMPREHENSIVE HEALTH INSURANCE POOL (CHIP)**

These files contain the CHIP questionnaire/survey, CHIP rules, correspondence, annual report, draft policies, statutes, board minutes, assessments, grievances and policy form files.

**Dispose of after 10 years.**

**47-5-3 HOLDING COMPANIES DOCUMENT FILES (DOMESTIC COMPANIES ONLY)**

Forms A, B, C, and D with exhibits and correspondence pertaining to ownership of insurance companies. Neb. Rev. Stat. § 44-2120 - 44-2153. The Form A is public record after 1991; prior to 1991 the Form A is confidential. Form B, C and D are confidential records.

**FORM A: Maintain 10 years on-site, then transfer to off-site storage facility.**

**Dispose of after 20 years.**

**FORM B, C & D: Maintain 5 years on-site, then transfer to off-site storage facility.**

**Dispose of after 20 years.**

**CORRESPONDENCE: (Includes disclaimers and dividends. Maintain 10 years on-site, then transfer to off-site storage facility. Dispose of after 20 years.**

**47-5-4 INSURANCE COMPANY AND AGENT CAUSE FILES**

Record of disciplinary action imposed upon insurance companies and agents by the Department of Insurance. Includes notices of hearings, records of fines, license suspensions and revocations (consent agreements and orders), correspondence, affidavits, exhibits, investigations, etc. Scanning documents to CD began in 1992.

**ORIGINAL RECORD: Scan to CD and microfilm for archival purposes; dispose of 5 years after disposition of case.**

**SECURITY MICROFILM: Transfer to the State Records Center; dispose of after 50 years.**

**MICROFILM WORK COPY: Dispose of after 50 years.**

**CD SECURITY COPY: Transfer to the State Records Center; dispose of 50 years after disposition of case.**

**CD WORK COPY: Dispose of 50 years after disposition of case.**

**47-5-5 INSURANCE COMPANY DOCUMENT FILES**

Includes copies of company's bylaws, articles of incorporation, application for license, license amendments, fee requests, etc. When a foreign company merges and is the non-surviving company, the doc file is treated as an inactive company. If a domestic company merges into another domestic company, the non-surviving company's doc file becomes part of the surviving company's doc file.

**ACTIVE FILES: Transfer superseded documents to off site security storage 10 years after superseded; dispose of 20 years after superseded.**

**INACTIVE FILES: Transfer to off site security storage after company becomes inactive; dispose of 6 years after company becomes inactive.**

**DISAPPROVED OR WITHDRAWN APPLICATION FILES: Dispose of 1 year following the end of the fiscal year to which the disapproval or withdrawal pertain, provided audit has been completed.<sup>1</sup>**

**47-5-6 INSURANCE GUARANTY FUND ASSOCIATION FILES**

Includes life and health, property and liability fund association files, i.e. Documents stating which companies are insolvent, program of assessment and correspondence to other members of the association.

**Dispose of 5 years after completion of liquidation, subject to review by the State Archives for possible accession.**

**47-5-7 LITIGATED CASES**

These files contain documents and attorney work papers on litigated cases. Records are confidential.

**Dispose of after 10 years.**

**47-5-8 MULTIPLE EMPLOYER WELFARE ARRANGEMENT FILE**

Includes copies of entity's articles of incorporation or organization, bylaws, agreements, trust agreements, and annual supporting documents filed pursuant to the Multiple Employer Welfare Arrangement Act, Neb. Rev. Stat. §44-7601 et seq. Initial application and registration documents are confidential. Documents submitted on an annual basis are not confidential.

**ACTIVE FILES: Transfer superseded documents to off-site security storage 10 years after superseded; dispose of after 20 years.**

**DISAPPROVED OR WITHDRAWN APPLICATIONS: Dispose of 3 years after disapproved or withdrawn, provided audit has been completed.<sup>1</sup>**

**INACTIVE RECORDS: Transfer to off site security storage; dispose of 5 years after becoming inactive.**

**47-5-9 VIATICAL SETTLEMENT PROVIDER RECORDS**

Includes application form, fees and supporting documents pursuant to the Viatical Settlement Act, Neb. Rev. Stat. §44-1101 et seq. Records are confidential.

**ACTIVE FILES: Transfer superseded documents to off-site security storage 10 years after superseded; dispose of after 20 years.**

**DISAPPROVED OR WITHDRAWN APPLICATIONS: Dispose of 3 years after disapproved or withdrawn, provided audit has been completed.<sup>1</sup>**

**INACTIVE RECORDS: Transfer to off-site security storage; dispose of 5 years after becoming inactive.**

**47-6 LIFE AND HEALTH DIVISION**

**47-6-1 ACTUARIAL BOOKS: LIFE AND HEALTH**

**Dispose of after 10 years.**

#### **47-6-2 ASSUMPTION REINSURANCE**

Assumption Reinsurance Act §44-6201 – 44-6211. The Assumption Reinsurance Act applies to all assumption reinsurance agreements entered into on or after January 1, 1994. Files contain the assumption reinsurance agreements, certificates of assumption, and financial information from companies that assume or transfer the obligations or risks on contract of insurance owned by policyholders pursuant to an assumption reinsurance agreement. Documents dated 2002 and prior were microfilmed in 2005. Files submitted to SERFF are maintained permanently by the NAIC.

**BEFORE 12/31/07: Scan to CD, microfilm then destroy. Maintain 4 calendar years on file.**

**AFTER 12/31/07: Scan into SERFF (System for Electronic Rate and From Filing) and dispose of immediately after scanning.**

**CD SECURITY COPY: Transfer to the State Records Center; dispose of after 50 years.**

**CD WORK COPY: Dispose of after 50 years.**

**SECURITY MICROFILM: Transfer to the State Records Center; retain permanently.**

**MICROFILM WORK COPY: Retain permanently.**

#### **47-6-3 DISCOUNT HEALTH PLANS**

These are a business arrangement or contract in which a person, in exchange for fees, dues, charges or other consideration, offers access for its members to providers of medical or ancillary services and the right to receive discounts on medical or ancillary services provided under the discount medical plan from those providers.

**Maintain for 4 years and destroy.**

#### **47-6-4 HEALTH CARE PROMPT PAYMENT COMPLIANCE**

Prompt Payment Act Compliance Statements are filed by insurers who request to be exempt from the filing requirements of Neb. Rev. Stat. §44-8001- 8010. A Compliance Statement must be filed each year that the insurer desires to be exempt. See Item 47-2-2.

**Dispose of after 2 years.**

#### **47-6-5 LIFE AND HEALTH APPROVALS**

Correspondence and other pertinent information regarding approval or disapproval of changes in policy format or options. Correspondence submitted to SERFF are maintained permanently by the NAIC.

**BEFORE 12/31/07: Transfer to offsite security storage after 2 years; dispose of after 10 years.**

**AFTER 12/31/07: Scan into SERFF and dispose of immediately after scanning.**

#### **47-6-6 LIFE AND HEALTH INSURANCE POLICY FORMS**

Files for domestic and foreign life, accident and health policies, riders to policies, applications, endorsements, certificates, additions, rates and statements of method. Filings submitted to SERFF are maintained permanently by the NAIC.

**BEFORE 12/31/07: Dispose of 6 months after approval date.**

**AFTER 12/31/07: Scan into SERFF and dispose of immediately after scanning.**

**47-6-7 LIFE ILLUSTRATIONS**

A non-guaranteed projection of illustrative future benefits and values under a policy. The company's illustration actuary must file with the Department an annual certification for all policy forms for which the illustrations are used, pursuant to Title 210, Chapter 72. Filings submitted to SERFF are maintained permanently by the NAIC.

**BEFORE 12/31/08: Send to offsite security storage at year end; dispose of after 2 years.**

**AFTER 12/31/08: Scan into SERFF and dispose of immediately after scanning.**

**47-6-8 LONG-TERM CARE PARTNERSHIP FORMS**

Effective in 2007, State governments modify the rules of their Medicaid programs to allow applicants who have purchased long-term care insurance policies that meet certain requirements to qualify for Medicaid benefits while retaining assets that they would normally be required to spend on care. Filings submitted to SERFF are maintained permanently by the NAIC.

**Dispose of after 4 years.**

**47-6-9 MEDICARE SUPPLEMENT MATERIAL**

Includes forms, rates, refunds, advertising material, duplication reports and refund calculations received from life and health insurance companies as required by the Omnibus Budget Reconciliation Act of 1990. Filings submitted to SERFF are maintained permanently by the NAIC.

**BEFORE 12/31/07: Maintain 2 calendar years on file. Scan to CD, microfilm, then destroy.**

**AFTER 12/31/07: Scan into SERFF and dispose of immediately after scanning.**

**CD SECURITY COPY: Transfer to the State Records Center; dispose of after 50 years.**

**CD WORK COPY: Dispose of after 50 years.**

**SECURITY MICROFILM: Transfer to the State Records Center; retain permanently.**

**MICROFILM WORK COPY: Retain permanently.**

**47-6-10 NETWORK ADEQUACY**

File is confidential and includes network lists, access plans, network provider contracts, pursuant to the Managed Care Plan Network Adequacy Act, Neb. Rev. Stat. §44-7101-7110.

**Maintain in the central files; dispose of after 10 years.**

## **47-7            MARKET CONDUCT DIVISION**

### **47-7-1            MARKET CONDUCT REPORT OF EXAMINATION**

Report of market activities. Examination completed pursuant to the Insurers Examination Act Neb. Rev. Stat. § 44-5901 - 44-5910 and §44-112, R. R. S. 1943. Scanning documents to CD began in 1993.

**DOMESTIC AND FOREIGN (with NEBRASKA PARTICIPATION):**

**ORIGINAL RECORD: Scan to CD after superseded and microfilm for archival purposes. Destroy originals after scanning and microfilming is completed.**

**SECURITY MICROFILM: Transfer to the State Records Center; retain permanently.**

**MICROFILM WORK COPY: Transfer to the State Records Center; retain permanently.**

**CD SECURITY COPY: Transfer to the State Records Center; dispose of after 50 years.**

**CD WORK COPY: Dispose of after 50 years.**

**OTHER FOREIGN: Dispose of after superseded or obsolete.**

### **47-7-2            MARKET CONDUCT WORK PAPERS**

Work papers of insurance examiners from which market conduct Report of Examination is taken, item 47-7-1. Work papers are confidential records.

**Transfer to off site security storage after completion of examination; dispose of 10 years after examination date.**

## **47-8            MEDICAL PROFESSIONAL LIABILITY DIVISION**

### **47-8-1            CLOSED CLAIM FILES**

Nebraska Hospital-Medical Liability Act Neb. Rev. Stat. §44-2801-44-2855. Closed Excess Liability Fund claim files maintained in alphabetical order by plaintiff's last name.

**Transfer to off site security storage at year-end; dispose of after 25 years.**

### **47-8-2            EXCESS LIABILITY FUND GENERAL CORRESPONDENCE**

Nebraska Hospital-Medical Liability Act Neb. Rev. Stat. §44-2801-44-2855.

Correspondence by insured and employees involved with the operations of the Excess Liability Fund. May include verification of coverage certificate and validation of payment received. Documents are filed alphabetically by the entity that has the coverage.

**Maintain correspondence on-site for 5 years after the end of coverage;**

**transfer to off-site security storage; dispose of after 25 years.**

### **47-8-3            OPEN CLAIM FILES**

Nebraska Hospital-Medical Liability Act Neb. Rev. Stat. §44-2801-44-2855. Pursuant to Neb. Rev. Stat. §44-2854 Director; Contract for Administrative Duties and Responsibilities; Supervisor Authority, Central National Insurance Company of Omaha, Nebraska Insurance Services, Inc. (NIS) maintains the open claim files.

**See Item 47-8-1 when claims are closed.**

**47-8-4 RECORDS FROM EXCESS FUND START UP**

Four boxes of correspondence and various other documentation relating to legislation creating the Excess Liability Fund and its implementation.

**Dispose of after 25 years, subject to review by the State Archives for possible accession.**

**47-8-5 RESIDUAL MALPRACTICE INSURANCE AUTHORITY**

Nebraska Hospital-Medical Liability Act Neb. Rev. Stat. §44-2801-44-2855. Pursuant to Neb. Rev. Stat. §44-2837-44-2839, Health care providers who are a high risk and cannot obtain coverage from at least two insurers may apply for Residual Malpractice Insurance Authority. Files include correspondence, application and other documentation submitted with the application.

**Maintain on-site for 5 years after the end of coverage, then transfer to off site security storage; dispose of after 25 years.**

**47-9 PRODUCER LICENSING DIVISION**

**47-9-1 AGENT LICENSE FILE**

An on-line computer record of each licensed resident and nonresident insurance agent, insurance broker and consultant. Information includes the following: name, social security number, address, license number, date of license, the lines of insurance the agent is qualified to sell, the company identification number for which the agent works, agent status and original status date. Licenses are renewed every two years and the records are updated with a new expiration date. The on-line information includes the agent's examination records. Information includes the following: name, date of examinations, results, city in which examined and company for which the examinations were taken and pertinent education records. The agent's license history file is also maintained on-line. Part of 47-1-3 NIIMS. No microfiche has been produced since 1989.

**Dispose of after superseded or obsolete.**

**47-9-2 AGENT LICENSE HISTORY FILE**

This record contains the following information from the on-line AGENT LICENSE FILE: name, social security number, date of birth, address, license number, date of license, the lines of insurance the agent is qualified to sell, the code for the company for which the agent works, education status, agent status and original status date. Licenses are renewed every 2 years. Part of 47-1-3 NIIMS. Microfilming ceased in 1980.

**ELECTRONIC RECORD: Dispose of after superseded or obsolete.**

**SECURITY MICROFILM: Transfer to the State Records Center; dispose of after 50 years.**

**MICROFILM WORK COPY: Dispose of after 50 years.**

**47-9-3 APPLICATION FOR INSURANCE AGENCY LICENSE**

File includes a signed application for an Insurance Agency License and also includes any necessary supporting documents. Original records must be shredded when destroyed. Scanning documents to CD began in 1990.

**ORIGINAL RECORD: Scan to CD and microfilm for archival purposes. Destroy originals after 2 years, provided audit has been completed.<sup>1</sup>**

**SECURITY MICROFILM: Transfer to the State Records Center; dispose of after 50 years.**

**MICROFILM WORK COPY: Dispose of after 50 years.**

**CD SECURITY COPY: Dispose of after 50 years.**

**CD WORK COPY: Dispose of after 50 years.**

**47-9-4 APPOINTMENT & REQUEST FOR CANCELLATION FOR RESIDENT AND NONRESIDENT AGENTS**

Includes insurance company requests to appoint new agents and insurance company requests to have a specified agent's appointment canceled. Also includes requests from producers to cancel their license. Information from these appointment forms are included in the Agent License File, item 47-9-1.

**Transfer to off site security storage after 1 year; dispose of after 4 years.**

**47-9-5 CLEARANCE LETTERS**

Copies of statements sent to Departments of Insurance in other states declaring that the specified agent who is moving from Nebraska to that state is in good standing with the Department of Insurance.

**Dispose of after 2 years.**

**47-9-6 CONTINUING EDUCATION CORRESPONDENCE**

This correspondence consists of letters of approval or denial of the educational requirements and filing fees.

**Dispose of after 2 years, provided audit has been completed.<sup>1</sup>**

**47-9-7 EDUCATION PROGRAMS**

Two-year continuing education programs for Life and Health and Property and Casualty agents, brokers and consultants. Training programs which have been approved pursuant to Neb. Rev. Stat. § 44-3901-3908, R. R. S. 1943.

**Dispose of after 5 years, provided audit has been completed.<sup>1</sup>**

**47-9-8 LICENSE APPLICATION FILES & ADDENDUM  
RESIDENT AND NONRESIDENT AGENT, BROKER, SURPLUS  
LINE AGENTS & CONSULTANTS**

Includes Application License that is the formal application for an insurance license which is signed. Also includes correspondence, consent agreements (conditions to which the agents agree if they have ever been called before state officials for violating the state insurance laws) and supporting documents. Original records must be shredded when destroyed. Scanning documents to CD began in 1990.

**ORIGINAL RECORD: Scan to CD and microfilm for archival purposes; destroy after 4 years, provided audit has been completed.<sup>1</sup>**

**CD SECURITY COPY: Transfer to the State Records Center; dispose after 50 years.**

**CD WORK COPY: Dispose of after 50 years.**

**SECURITY MICROFILM: Transfer to the State Records Center; dispose of after 50 years.**

**MICROFILM WORK COPY: Dispose of after 50 years.**

**47-9-9 NONRESIDENT AGENT CONTROL CARD (OBSOLETE 1995)**

Microfilm of 4 x 6 card file of all nonresident insurance agents prior to 1978, the names of the companies they are licensed to sell insurance for and the issuance and expiration dates of the license. Microfilming ceased in 1979.

**SECURITY MICROFILM: Transfer to the State Records Center; dispose of after 50 years.**

**MICROFILM WORK COPY: Dispose of after 50 years.**

**47-9-10 PRELICENSING CERTIFICATES OF COMPLETION**

Certificates of Completion for prelicensing education for insurance agents, and filing fee validation for prelicensing education. May include correspondence regarding prelicensing education requirements.

**Transfer to off site security storage after 1 year; dispose of after 2 years, provided audit has been completed.<sup>1</sup>**

**47-9-11 RECIPROCAL AGREEMENTS (OBSOLETE 2000)**

Agreements for reciprocal licensing of insurance agents with Departments of Insurance from other states.

**Immediately dispose of obsolete records.**

**47-9-12 RENEWAL FORMS - RESIDENT & NONRESIDENT AGENT,  
BROKER, CONSULTANTS, SURPLUS LINE AGENTS & AGENCY**

This record includes renewal forms and is a record of each license renewed and includes the following information: name, address, name of insurance agency, social security number, business address, date of birth, and license number.

**Transfer to off site security storage after 3 months; dispose of after 2 years, provided audit has been completed.<sup>1</sup>**

**47-9-13 RESIDENT AGENT CERTIFICATION LETTERS**

Letter requesting certification of agents, brokers and consultants and insurance agency license status for licensure in other states.

**Transfer to off site security storage after 3 months; dispose of after 2 years, provided audit has been completed.<sup>1</sup>**

#### **47-9-14 SELF-REPORTING ACTIONS**

Resident and Non-resident producers must report any administrative action taken against them in another jurisdiction or by another governmental agency pursuant to the Insurance Producers Licensing Act Neb. Rev. Stat. §44-4065. The reports may include a copy of the order, consent to order or other relevant legal documents. The documents are reviewed and referred to the Legal Division if action is required.

**ORIGINAL RECORD: Documents are scanned and maintained in an Excel spreadsheet. Paper documents are destroyed after scanning.**

**ELECTRONIC RECORD: Dispose of after 5 years.**

#### **47-9-15 STATEMENT FOR RESIDENT AND NONRESIDENT AGENTS**

Annual and monthly computer billing statement of license fees due from resident insurance companies for the licensing of their agents.

**Dispose of after 3 years, provided audit has been completed.<sup>1</sup>**

#### **47-9-16 THIRD PARTY ADMINISTRATOR (TPA)**

File includes application, organizational documents, business plan, annual financial statements pursuant to the Third Party Administrator Act, Neb. Rev. Stat. §44-5801-44-5816.

**DOMESTIC FINANCIAL STATEMENTS: Maintain on-site for 2 years. Scan to CD and microfilm for archival purposes. Transfer to off-site security storage; dispose of 6 years after statement date. See item 47-3-1.**

**FOREIGN FINANCIAL STATEMENTS: Transfer to off-site security storage after 1 year; dispose of 4 years after statement date.**

**INACTIVE FILES: Transfer to off-site security storage after TPA becomes inactive; dispose of after 6 years.**

**SECURITY MICROFILM: Transfer to the State Records Center, retain permanently.**

**MICROFILM WORK COPY: Retain permanently.**

**CD SECURITY COPY: Transfer to the State Records Center; dispose of after 50 years.**

**CD WORK COPY: Dispose of after 50 years.**

#### **47-10 PROPERTY AND CASUALTY DIVISION**

##### **47-10-1 ADVISORY ORGANIZATION FILES (ISO, NCCI)**

Includes correspondence, statistical plans and experience exhibits. Filings submitted to SERFF are maintained permanently by the NAIC.

**PAPER CORRESPONDENCE: Transfer to off site security storage after 3 years; dispose of after 5 years.**

**ALL OTHER FILES: Dispose of after 5 years.**

##### **47-10-2 ADVISORY ORGANIZATIONS MANUALS AND FORMS FILES**

Includes rate schedules, loss costs rules, classification categories and policies and forms. Filings submitted to SERFF are maintained permanently by the NAIC.

**Dispose of after 5 years or after superseded or obsolete, whichever is later.**

**47-10-3 INSURANCE COMPANY RATE AND FORM FILES**

Includes policies, applications, correspondence, forms, endorsements, certificates and rate schedules from companies admitted to do business in Nebraska. After the filings are approved, they are placed into the company's central files according to the line of insurance. Filings submitted to SERFF are maintained permanently by the NAIC.

**PAPER CORRESPONDENCE:** Transfer to off-site security storage after 18 months; dispose of after 5 years.

**PAPER RATE & FORM FILINGS:** Dispose of after 6 years.

**TITLE AND MEDICAL MALPRACTICE FILINGS:** Dispose of after superseded or obsolete.

**INACTIVE FILES:** Transfer files to off-site storage facility after company becomes inactive; dispose of after 6 years. See item 47-5-5.

**ASSESSMENT COMPANIES (COUNTY MUTUALS):** Scan filings into SERFF.

**ALL OTHER FILES:** Dispose of after superseded or obsolete.

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**NOTE**

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*1. These records may be disposed of after the required retention period provided the audit of the Comprehensive Annual Financial Report (CAFR) is complete and any required federal audit is complete, and all related audit comments have been resolved. Check with the organization that performed the audit, either the Auditor of Public Accounts or the federal cognizant agency, if there is a question whether resolution is complete.*

# RECORDS DISPOSITION REPORT

<b>TO: SECRETARY OF STATE RECORDS MANAGEMENT DIVISION 440 S. 8<sup>TH</sup> STREET SUITE 210 LINCOLN, NE 68508-2294</b>	AGENCY
	DIVISION
	SUB-DIVISION

## REQUIRED INFORMATION:

In accordance with the Records Management Act, records of this agency have been disposed of under the authorization granted by the following schedule(s):

SCHEDULE NUMBER(S) ONLY (DO NOT INCLUDE SECTION AND ITEM NUMBERS)	TOTAL VOLUME DISPOSED (SEE REVERSE)

## OPTIONAL INFORMATION (FOR YOUR USE ONLY):

You may include detailed information which will be useful to you in recording exactly what records were disposed of and under what authority. This might include such things as schedule section and item numbers, title of records, inclusive dates of records, etc. This information is not required to be filed with Records Management.

DATE	SIGNATURE
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**SEND ORIGINAL TO RECORDS MANAGEMENT. MAKE A PHOTOCOPY FOR YOUR RECORDS.**

RMA 03006D

## VOLUME ESTIMATING GUIDE

**(PLEASE NOTE THAT FOR REPORTING PURPOSES, A BALLPARK ESTIMATE OF THE TOTAL VOLUME OF MATERIAL DISPOSED IS ADEQUATE.)**

<b>Container</b>	<b>Cubic Feet</b>	<b>Weight (lbs)</b>	<b>Sheets of Paper (8.5" x 11")</b>	<b>Electronic Data Equivalent</b>
			<b>1</b>	<b>20 Kb</b>
			<b>52</b>	<b>1 Mb (1024 Kb)</b>
			<b>53,687</b>	<b>1 Gb (1024 Mb)</b>
<b>N/A</b>	<b>N/A</b>	<b>2,204 lbs (1 metric ton)</b>	<b>220,000</b>	<b>4.1 Gb</b>
<b>Records center carton</b>	<b>1 Cu. Foot</b>	<b>16.66 lbs</b>	<b>1,667</b>	<b>32 Mb</b>
<b>Vertical File Cabinet, 4 drawer letter- size</b>	<b>6 Cu. Feet</b>	<b>100 lbs</b>	<b>10,000</b>	<b>190 Mb</b>
<b>Vertical File Cabinet, 4 drawer legal- size</b>	<b>8 Cu. Feet</b>	<b>133.3 lbs</b>	<b>13,333</b>	<b>254 Mb</b>
<b>Lateral File, 4 drawer/shelf letter-size</b>	<b>9 Cu. Feet</b>	<b>149.94 lbs</b>	<b>15,003</b>	<b>288 MB</b>
<b>Lateral File, 4 drawer/shelf legal-size</b>	<b>12 Cu. Feet</b>	<b>199.92 lbs</b>	<b>20,004</b>	<b>384 MB</b>
<b>About a pickup load</b>	<b>50 Cu. Feet</b>	<b>7,500 lbs</b>	<b>748,638</b>	<b>14 Gb</b>